

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

LAURINE CONTE and JANET GUARINO,
Plaintiffs,

vs.

SAM SHEAR and MIKE WINBERG, et al.

Defendants.

PREMIER WATERPROOFING LLC, et al.

Third-Party Plaintiffs,

vs.

GREENSKY SERVICING LLC, et al.

Third-Party Defendants.

)
) CIVIL ACTION No:
) 3:20-cv-16458-ZNQ-TJB
)
)
)

)
) **NOTICE OF MOTION**
) **TO DISMISS AND STRIKE**
)
)
)

THIRD-PARTY DEFENDANTS,
GREENSKY SERVICING, LLC
and GREENSKY, LLC

By: 
Anthony R. Minchella, Esq. 052241996
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TO:

Jeffrey Heldman, Esq.
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Attorneys for Premier Waterproofing, LLC,
Sam Shear and Mike Winberg

COUNSEL:

PLEASE TAKE NOTICE that on October 7, 2024, or as soon thereafter as counsel may be heard, Third-Party Defendants GreenSky Servicing, LLC and GreenSky, LLC (collectively “GreenSky”) shall move by and through their attorney, Anthony R. Minchella of Minchella & Associates, LLC, before the Honorable Zahid N. Quraishi, United States District Court Judge, Clarkson S. Fisher United States Courthouse, 402 East State Street, Trenton, New Jersey, for an Order, pursuant to Federal Rule of Civil Procedure 12(b)(6), 14, and 12(f) to dismiss and/or strike Third-Party Plaintiffs’ Third-Party Complaint.

PLEASE TAKE FURTHER NOTICE that, in support of this motion, GreenSky shall rely upon the accompanying Memorandum of Law, which is being filed and served simultaneously herewith.

PLEASE TAKE FURTHER NOTICE that a proposed Order is also submitted herewith.

Dated: September 13, 2024

Respectfully Submitted,

MINCHELLA & ASSOCIATES, L.L.C.
Attorneys for Third-Party Defendants
GreenSky Servicing, LLC and
GreenSky LLC

By: _____


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CERTIFICATION OF SERVICE

On this date, I submitted this Notice of Motion, Proposed Order, Brief, and Certification of Anthony R. Minchella by Electronic Filing to the Clerk, United States District Court, District of New Jersey, Clarkson S. Fisher United States Courthouse, 402 East State Street, Trenton, New Jersey 08608, and a copy of same by electronic filing and by first class to the following counsel and self-represented parties of record:

George T. Dougherty, Esq.
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Anthony R. Minchella

Dated: September 13, 2024